

### **REMARKS**

The Official Action dated March 19, 2004, has been carefully considered. Accordingly, the changes presented herein, taken with the following remarks, are believed sufficient to place the present application in condition for allowance. Reconsideration is respectfully requested.

By present amendment, new claims 37 and 38 have been added. Support for these claims may be found in the specification at col. 2, line 37 through col. 3, line 32. Care has been taken to avoid the introduction of new matter. Entry and an early allowance are respectfully requested.

In the Official Action, the Examiner rejected claims 1 and 12 under 35 USC 112, first paragraph, as failing to comply with the enablement requirement. The Examiner asserted that the limitation "...an accessor responsive to the voter validation number for selectively verifying the vote with an election..." is not supported by the specification. The rejection is traversed. While the Applicant believes that support for this limitation is found in the specification at p. 19, line 20, by present amendment, this limitation is removed from claims 1 and 12. The rejection is traversed, and reconsideration is respectfully requested.

In the Official Action, the Examiner rejected claims 1, 5-6, 12-13, 17-18, and 24-36 under 35 U.S.C. 103(a) as being unpatentable over Miyagawa (5,377,099) in view of Hall (6,540,138) and further in view of Peralto (5,878,399).

The rejection is traversed. Miyagawa describes an electronic voting system having display/input unit with a pin having a switch for detecting contact of the pin with the display. Ballot information is presented on the display screen with a region for selecting a candidate or writing the candidate's name. However, Applicant does not find any teaching or suggestion of amended claims 1 and 12, either alone or in combination with the other references of record. In particular, Miyagawa does not teach or suggest a validator responsive to the

voting by the voter that endorses a voter validation receipt bearing a voter validation number with a validation indicia, whereby the authenticity of the voter validation receipt can be established at a later time if necessary to correct a vote tabulation error. Hall does not correct this absence. Hall mention in an alternative embodiment a “voter number.” After voting, an encoded receipt is provided. Nothing more is suggested as to the voter number. Hall also describes a voter registration card that encodes voter data and a picture, used as an entry pass for the voter to vote in the election. Miyagawa and Hall do not teach or suggest the claimed voting system and method that generates a voter identification number by a central processor in the course of the voter casting his or her votes. Peralto is not relevant, as the accessor limitation has been removed by current amendment. Accordingly the rejection of amended claims 1 and 12, and thus all dependent claims, has been traversed. Reconsideration and an early allowance are respectfully requested.

In the Official Action, the Examiner rejected claims 2 and 14 under 35 U.S.C. 103(a) as being unpatentable over Miyagawa/Hall/Peralto in further view of Rekieta (6,230,164). The rejection is traversed. As discussed above, amended claims 1 and 12 are now allowable, and thus dependent claims 2 and 14 are allowable as well. Reconsideration and an early allowance are respectfully requested.

In the Official Action, the Examiner rejected claims 3, 8-9, 15, and 20-21 under 35 U.S.C. 103(a) as being unpatentable over Miyagawa/Hall/Peralto in further view of McKay (3,793,505). The rejection is traversed. As discussed above, amended claims 1 and 12 are now allowable, and thus dependent claims 3, 8-9, 15, and 20-21 are allowable as well. Reconsideration and an early allowance are respectfully requested.

In the Official Action, the Examiner rejected claims 4, 7, 10-11, 16, 19, and 22-23 under 35 U.S.C. 103(a) as being unpatentable over Miyagawa/Hall/Peralto in further view of Davis (6,550,675). The rejection is traversed. As discussed above, amended claims 1 and

12 are now allowable, and thus dependent claims 4, 7, 10-11, 16, 19, and 22-23 are allowable as well. Reconsideration and an early allowance are respectfully requested.

Accordingly, the rejections of Claims 1-36 have been traversed. It is believed that the above represents a complete response to the rejections under 35 U.S.C. 103(a) and 112, and places the present application in condition for allowance. Reconsideration and an early allowance are requested.

Respectfully submitted,

/W. Edward Ramage/  
W. Edward Ramage, Reg. No. 50,810  
Baker Donelson Bearman Caldwell &  
Berkowitz, PC  
211 Commerce Street, Suite 1000  
Nashville, TN 37201  
615-726-5771